

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**

ORDER OF COURT

The following shall constitute a standing order of Court:

FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE

For the petty offenses listed below¹, whether originating under the applicable Federal Statute or Regulations or applicable state statute by virtue of the Assimilated Crimes Act (18 U.S.C. § 13), occurring within the territorial jurisdiction of the United States, including areas within but not exclusive to: the boundaries of the United States military installations, bases and outposts, the boundaries of National Forest lands, the boundaries of Veterans Administration properties, the boundaries of Corps of Engineers properties, as well as any other lands, buildings, bodies of water or areas within the district where the Federal Court has jurisdiction, exclusive or concurrent, it is hereby ordered that collateral may be posted in lieu of the appearance of the offender.

Upon the failure of the person charged with an offense or offenses to appear before the designated United States Magistrate Judge for trial of the offenses listed below, the collateral in the amount listed below shall be forfeited to the United States and the forfeiture of said collateral shall signify that the offender does not contest the charge nor request a hearing before the designated United States Magistrate Judge. If the collateral is forfeited, such action shall be tantamount to a finding of guilty. In case of conviction of a traffic violation, either the Clerk or Magistrate Judge shall certify the record of said conviction to the proper State authority as required by the applicable State statute. Persons charged with offenses not listed or with offenses requiring mandatory appearance must appear

¹ “The term ‘petty offense’ means a Class B misdemeanor, a Class C misdemeanor, or an infraction, for which the maximum fine is no greater than the amount set forth for such an offense in section 3571(b) (6) or (7) in the case of an individual . . .” 18 U.S.C. § 19. An individual found guilty of a Class B or Class C misdemeanor that does not result in death, or an infraction, may be fined not more than \$5,000. 18 U.S.C. § 3571(b) (6) & (7).

A defendant who is found guilty of a Class B misdemeanor may be sentenced to a term of imprisonment of not more than six months, 18 U.S.C. § 3581(b) (7); of a Class C misdemeanor, not more than thirty days, 18 U.S.C. § 3581(b)(8); of an infraction, not more than five days, 18 U.S.C. § 3581(b)(9).

for arraignment and trial.

Applicable throughout the district where the Federal Court has jurisdiction, exclusive or concurrent, the offenses for which collateral may be posted in lieu of appearance by the person charged with said offenses are:

- I. SCHEDULE OF OFFENSES ON ALL NATIONAL FOREST LANDS UNDER CONTROL OF THE UNITED STATES FOREST SERVICE
Pages 4-18
- II. SCHEDULE OF OFFENSES ON LANDS UNDER THE CONTROL OF THE U.S. ARMY CORPS OF ENGINEERS (INCLUDING OUT-GRANTED LANDS)
Pages 19-24
- III. SCHEDULE OF OFFENSES ON LANDS UNDER THE CONTROL OF THE VETERANS ADMINISTRATION
Pages 25-28
- IV. SCHEDULE OF OFFENSES ON PROPERTY UNDER THE CONTROL OF THE GENERAL SERVICES ADMINISTRATION
Pages 29-32
- V. SCHEDULE OF OFFENSES IN VIOLATION OF FEDERAL WILDLIFE ACTS - U.S. FISH AND WILDLIFE SERVICE
Pages 33-36
- VI. SCHEDULE OF MISCELLANEOUS OFFENSES ON LANDS UNDER THE CONTROL OF THE UNITED STATES GOVERNMENT
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- VII. OFFENSES FOR WHICH BOND MAY NOT BE FORFEITED, AND FOR WHICH APPEARANCE IS MANDATORY
Pages 39-40

I. SCHEDULE OF OFFENSES ON ALL NATIONAL FOREST LANDS UNDER CONTROL OF THE UNITED STATES FOREST SERVICE

[** DENOTES MANDATORY APPEARANCE]

A. OFFENSES GENERALLY PROHIBITED COLLATERAL

36 C.F.R. 261.3. Interfering with or giving false report to a Forest Officer.

The following are prohibited:

- (a) Threatening, resisting, intimidating, or interfering with any forest officer engaged in or on account of the performance of his official duties in the protection, improvement, or administration of the National Forest System is prohibited. **
- (b) Giving any false, fictitious or fraudulent report or other information to any Forest Officer engaged in or on account of the performance of his official duties knowing that such report or other information contains a false, fictitious or fraudulent ~~\$50~~ statement or entry.
- (c) Threatening, intimidating, or intentionally interfering with any Forest Officer, volunteer, or human resource program enrollee while engaged in, or on account of, the performance of duties for the protection, improvement, or administration of the National Forest System or other duties assigned by the Forest Service. **

36 C.F.R. 261.4, Disorderly conduct.

The following are prohibited:

- (a) Engaging in fighting. \$150
- (b) Addressing any offensive, derisive, or annoying communication to any other person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually, the remark is addressed ~~\$50~~
- (c) Make statements or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action. \$50
- (d) Causing public inconvenience, annoyance, or alarm by making ~~\$25~~ unreasonably loud noise.

36 C.F.R. 261.5, Fire

The following are prohibited:

- (a) Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire. \$50
- (b) Firing any tracer bullet or incendiary ammunition. \$100
- (c) Causing timber, trees, slash, brush or grass to burn except as authorized by permit. \$50
- (d) Leaving a fire without completely extinguishing it. \$25
- (e) Allowing a fire to escape from control. \$25
- (f) Building, attending, maintaining or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape. \$25

36 C.F.R. 261.6. Timber and Other Forest Products

The following are prohibited:

- (a) Cutting or otherwise damaging any timber, tree or other forest product, except as authorized by a special-use authorization, timber sale contract, or Federal law or regulation. \$100
- (b) Cutting any standing tree, under permit or timber sale contract, before a Forest Officer has marked it or has otherwise designated it for cutting. \$100
- (c) Removing any timber or other forest product cut under permit or timber sale contract, except to a place designated for scaling, or removing it from that place before it is scaled, measured, counted, or otherwise accounted for by a forest officer. \$100
- (d) Stamping, marking with paint, or otherwise identifying any tree or other forest product in a manner similar to that employed by forest officers to mark or designate a tree or any other forest product for cutting or removal.

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36 C.F.R. 261.6. Timber and Other Forest Products, cont...

- (e) Loading, removing or hauling timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such permit or contract. \$100
- (f) Selling or exchanging any timber or other forest product obtained under free use pursuant to §§ 223.5 through 223.11. \$100
- (g) Violating any timber export or substitution restriction in §§ 223.160 through 223.164. \$50
- (h) Removing any timber, tree or other forest product, except as authorized by a special-use authorization, timber sale contract, or Federal law or regulation. \$100

36 C.F.R. 261.7, Livestock

The following are prohibited:

- (a) Placing or allowing unauthorized livestock to enter or be in the National Forest System or other lands under Forest Service control. \$50
- (b) Not removing unauthorized livestock from the National Forest System or other lands under Forest Service control when requested by a forest officer. \$50
- (c) Failing to reclose any gate or other entry. \$25
- (d) Molesting, injuring, removing or releasing any livestock impounded under § 262.10 while in the custody of the Forest Service or its authorized agents.

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36 C.F.R. 261.8. Fish and Wildlife

The following are prohibited to the extent Federal or State law is violated:

- (a) Hunting, trapping, fishing, catching, molesting, killing or having in possession any kind of wild animal, bird, or fish, or taking the eggs of any such bird.

\$150

- (b) Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life. \$50

36 C.F.R. 261.8. Fish and Wildlife, cont...

- (c) Possessing equipment which could be used for hunting, fishing, or trapping. \$50
- (d) Possessing a dog not on a leash or otherwise confined. \$25

36 C.F.R. 261.9, Property

The following are prohibited:

- (a) Damaging any natural feature or other property of the United States. \$50
- (b) Removing any natural feature or other property of the United States. \$50
- (c) Damaging any plant that is classified as a threatened, endangered, sensitive, rare, or unique species. \$50
- (d) Removing any plant that is classified as a threatened, endangered, sensitive, rare, or unique species. \$150
- (e) Entering any building, structure, or enclosed area owned or controlled by the United States when such building, structure, or enclosed area is not open to the public. \$150
- (f) Using any pesticide except for personal use as an insect repellant or as provided by special-use authorization for other minor uses. \$150
- (g) Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resource, structure, site, artifact, or property. \$150
- (h) Removing any prehistoric, historic, or archaeological resource, structure, site, artifact, or property. \$150

- (i) Excavating, damaging, or removing any vertebrate fossil or removing any paleontological resource for commercial purposes without a special-use authorization. \$150

36 C.F.R. 261.10. Occupancy and Use

The following are prohibited:

- (a) Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, or other improvement on National Forest System land or facilities without a special-use authorization, contract, or approved operating plan. \$25
- (b) Taking possession of , occupying, or otherwise using National Forest System lands for residential purposes without a special-use authorization, or as otherwise authorized by Federal law or regulation. \$50
- (c) Selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use authorization.\$50
- (d) Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property: (1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or (2) across or on a Forest Development road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result of such discharge. \$100
- (e) Abandoning any personal property. \$25
- (f) Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person. \$50
- (g) Disseminating, posting, placing, or erecting any paper, notice, advertising material, sign, handbill, petition, or similar written and/or graphic matter without a special-use authorization. \$25
- (h) Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise, such as a radio, a television, musical instrument, motor or engine in such a manner and at such a time so as to unreasonably disturb any person. \$25

- (i) Operating or using a public address system, whether fixed, portable or vehicle mounted, in or near a campsite or developed recreation site or over an adjacent body of water without a special-use authorization. \$50
- (j) Use or occupancy of National Forest System land or facilities without special-use authorization when such authorization is required. \$25

36 C.F.R. 261.10. Occupancy and Use, cont...

- (k) Violating any term or condition of a special- use authorization, contract or approved operating plan. \$25
- (l) Failing to stop a vehicle when directed to do so by a Forest Officer. \$50
- (m) Failing to pay any special use fee or other charges as required. \$25

36 C.F.R. 261.11. Sanitation

The following are prohibited:

- (a) Depositing in any toilet, toilet vault, or plumbing fixture any substance which could damage or interfere with the operation or maintenance of the fixture. \$50
- (b) Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition. \$50
- (c) Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water. \$100
- (d) Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water or material, or rubbish either by removal from the site or area, or by depositing it into receptacles or at places provided for such purposes. \$50
- (e) Dumping of any refuse, debris, trash or litter brought as such from private property or from land occupied under permit, except, where a container, dump or similar facility has been provided and is identified as such, to receive trash generated from private lands or lands occupied under permit. \$100

36 C.F.R. 261.12, Forest Development Roads and Trails

The following are prohibited:

- (a) Violating the load, weight, height, length or width limitations prescribed by State law except by special-use authorization or written agreement or by order issued under § 261.54 of this Chapter. \$150
- (b) Failing to have a vehicle weighed at a Forest Service weighing station, if required by a sign. \$150

36 C.F.R. 261.12, Forest Development Roads and Trails, cont...

- (c) Damaging and leaving in a damaged condition any such road, trail, or segment thereof. \$150
- (d) Blocking, restricting, or otherwise interfering with the use of a road, trail, or gate. \$50

36 C.F.R. 261.13, Use of Vehicles Off Roads

It is prohibited to operate any vehicle off Forest Development, State or County roads:

- (a) Without a valid license as required by State law. \$25
- (b) Without an operable braking system. \$25
- (c) From one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights. \$10
- (d) In violation of any applicable noise emission standard established by any Federal or State agency. \$25
- (e) While under the influence of alcohol or other drug. \$150
- (f) Creating excessive or unusual smoke. \$10
- (g) Carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person or property. \$50
- (h) In a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources. \$35
- (i) In violation of State law established for vehicles used off roads. \$25

36 C.F.R. 261.14. Developed Recreation Sites

The following are prohibited:

- (a) Occupying any portion of the site for other than recreation purposes.
\$15
- (b) Building, attending, maintaining, or using a fire outside of a fire ring provided by the Forest Service for such purpose or outside of a stove, grill or fireplace.
\$15

36 C.F.R. 261.14. Developed Recreation Sites, cont...

- (c) Cleaning or washing any personal property, fish, animal, or food, or bathing or washing at a hydrant or water faucet not provided for that purpose.
\$15
- (d) Discharging or igniting a firecracker, rocket or other firework, or explosive.
\$50
- (e) Occupying between 10 p.m. and 6 a.m. a place designated for day use only.
\$15
- (f) Failing to remove all camping equipment or personal property when vacating the area or site.
\$25
- (g) Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment.
\$15
- (h) Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.
\$15
- (i) Leaving camping equipment unattended for more than 24 hours without permission.\$15
- (j) Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged, or upon a leash not longer than six feet, or otherwise under physical restrictive control.
\$25
- (k) Bringing in or possessing in a swimming area an animal, other than a seeing eye dog.
\$25

- (l) Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions. \$15
- (m) Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose. \$10
- (n) Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use. \$10
- (o) Operating a motorbike, motorcycle, or other motor vehicle for any purpose other than entering or leaving the site. \$10

36 C.F.R. 261.14. Developed Recreation Sites, cont...

- (p) Distributing any handbill, circular, paper or notice without a special-use authorization. \$25
- (q) Depositing any body waste except into receptacles provided for that purpose. \$35

36 C.F.R. 261.15. Admission. Recreation Use and Special Recreation Permit Fees

Failing to pay any fee established for admission or entrance to or use of a site, facility, equipment or service furnished by the United States is prohibited. The maximum fine shall not exceed \$100.

\$15

36 C.F.R. 261.16, National Forest Wilderness

The following are prohibited in a National Forest Wilderness:

- (a) Possessing or using a motor vehicle, motorboat or motorized equipment except as authorized by Federal law or regulation. \$25
- (b) Possessing or using a hang glider or bicycle. \$10
- (c) Landing of aircraft, or dropping or picking up of any material, supplies, or person by means of aircraft, including a helicopter. \$25

B. OFFENSES PROHIBITED IN AREAS DESIGNATED BY ORDER

36 C.F.R. (Posted Order 261.50 & 261.51) 261.52. Fire

When provided by an order, the following are prohibited:

- (a) Building, maintaining, attending or using a fire, campfire, or stove fire. \$25
- (b) Using an explosive. \$50
- (c) Smoking. \$25
- (d) Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material. \$25
- (e) Going into or being upon an area. \$25

36 C.F.R. (Posted Order 261.50 & 261.51) 261.52. Fire, cont...

- (f) Possessing, discharging or using any kind of firework or other pyrotechnic device. \$25
- (g) Entering an area without any firefighting tool prescribed by the order. \$25
- (h) Operating an internal combustion engine. \$25
- (i) Welding, or operating an acetylene or other torch with open flame. \$25
- (j) Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a). \$25
- (k) Violating any State law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires. \$25

36 C.F.R. (Posted Order 261.50 & 261.51) 261.53. Special Closures

When provided in an order, it is prohibited to go into or be upon any area which is closed for the protection of:

- (a) Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish. \$25
- (b) Special biological communities. \$25
- (c) Objects of areas of historical, archeological, geological, or paleontological interest. \$25
- (d) Scientific experiments or investigations. \$25
- (e) Public health or safety. \$25
- (f) Property. \$25

36 C.F.R. (Posted Order 261.50 & 261.51) 261.54. Forest Development Roads

When provided by an order, the following are prohibited:

- (a) Using any type of vehicle prohibited by the order. \$50
- (b) Use by any type of traffic prohibited by the order. \$25
- (c) Using a road for commercial hauling without a permit or written authorization. \$150
- (d) Operating a vehicle in violation of the speed, load, weight, height, length, width, or other limitations specified by the order. \$150
- (e) Being on the road. \$50
- (f) Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property. \$100

36 C.F.R. (Posted Order 261.50 & 261.51) 261.55. Forest Development Trails

When provided by an order, the following are prohibited:

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|-----|--|------|
| (a) | Being on the trail. | \$10 |
| (b) | Using a bicycle or motorized vehicle | |
| | Bicycle | \$10 |
| | Motorized Vehicle | \$25 |
| (c) | Possessing or using a saddle, pack, or draft animal. | \$15 |
| (d) | Shortcutting a switchback. | \$10 |

36 C.F.R. (Posted Order 261.50 & 261.51) 261.56. Use of Vehicles Off Forest Development Roads

When provided by an order, it is prohibited to possess or use a vehicle off forest development roads.

\$50

36 C.F.R. (Posted Order 261.50 & 261.51) 261.57, National Forest Wilderness

When provided by an order, the following are prohibited:

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|-----|--|------|
| (a) | Entering or being in the area. | \$25 |
| (b) | Possessing camping or pack-out-fitting equipment, as specified in the order. | \$10 |
| (c) | Possessing a firearm or firework. | \$25 |
| (d) | Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use. | \$25 |
| (e) | Grazing. | \$25 |
| (f) | Storing equipment, personal property or supplies. | \$10 |
| (g) | Disposing of debris, garbage, or other waste. | \$50 |

- (h) Possessing or using a wagon, cart, or other vehicle. \$25

36 C.F.R. (Posted Order 261.50 & 261.51) 261.58. Occupancy and Use

When provided by an order, the following are prohibited:

- (a) Camping for a period longer than allowed by the order. \$15
- (b) Entering or using a developed recreation site or portion thereof. \$15
- (c) Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds. \$25
- (d) Occupying a developed recreation site with prohibited camping equipment prescribed by the order. \$15
- (e) Camping. \$25
- (f) Using a campsite or other area described in the order by more than the number of users allowed by the order. \$10

36 C.F.R. (Posted Order 261.50 & 261.51) 261.58. Occupancy and Use, cont...

- (g) Parking or leaving a vehicle in violation of posted instructions. \$10
- (h) Parking or leaving a vehicle outside a parking space assigned to one's own camp unit. \$5
- (i) Possessing, parking or leaving more than two vehicles, except motorcycles or bicycles, per camp unit. \$5
- (j) Being publicly nude. \$25
- (k) Entering or being in a body of water. \$25
- (l) Being in the area after sundown or before sunrise. \$25
- (m) Discharging a firearm, air rifle, or gas gun. \$25

- (n) Possessing or operating a motorboat. \$25
- (o) Water skiing. \$25
- (p) Storing or leaving a boat or raft. \$10
- (q) Operating any watercraft in excess of a posted speed limit. \$25
- (r) Launching a boat except at a designated launching ramp. \$10
- (s) Possessing, storing, or transporting any bird, fish or other animal or parts thereof, as specified in the order. \$25
- (t) Possessing, storing, or transporting any part of a tree or other plant, as specified in the order. \$25
- (u) Being in the area between 10:00 p.m. and 6:00 a.m. except a person who is camping or who is visiting a person camping in that area. \$15
- (v) Hunting and fishing. \$25
- (w) Possessing or transporting any motor or mechanical device capable of propelling a watercraft through water by any means. \$15
- (x) Using any wheel, roller, or other mechanical device for the overland transportation of any watercraft. \$15

36 C.F.R. (Posted Order 261.50 & 261.51) 261.58. Occupancy and Use, cont...

- (y) Landing of aircraft, or dropping or picking up any material, supplies, or person by means of an aircraft, including a helicopter. \$25
- (z) Entering or being on lands or waters within the boundaries of a component of the National Wild and Scenic Rivers System. \$15
- (aa) Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions. \$15
- (bb) Possessing a beverage which is defined as an alcoholic beverage by State law. \$25

(cc) Possessing or storing any food or refuse, as specified in the order.

\$15

II. SCHEDULE OF OFFENSES ON ALL LANDS UNDER THE CONTROL OF THE U.S. ARMY CORPS OF ENGINEERS (INCLUDING OUT-GRANTED LANDS)

[** DENOTES MANDATORY APPEARANCE]

A. OFFENSES GENERALLY PROHIBITED

COLLATERAL

36 C.F.R. 327.1. Discriminatory Practices/Prohibited

d. Discriminatory Practices.

\$40

36 C.F.R. 327.2. Motor Vehicles

b. Parking in restricted area.

\$25

c. Operation and/ or parking vehicle off roadway.

\$35 - \$100

d. Failure to operate vehicle in accordance with posted regulations.

\$25 - \$50

e. Operation of vehicle in a careless or negligent manner.

\$25 - \$50

e-1 Operation of vehicle in a reckless manner.

\$50 - \$150

f. Operation of vehicle for other than ingress or egress.

\$25

g. Operation of vehicle without effective muffler.

\$25

36 C.F.R. 327.3. Vessels

b. Operation of vessel for fee or profit.

\$50

c. Operation of vessel in prohibited area or without current or proper registration.

\$25 - \$75

d. Operation of vessel in a careless or negligent manner.

\$25 - \$50

d-1. Operation of vessel in a reckless manner.

\$50 - \$150

- e. Operation of vessel without required safety equipment. \$25 - \$50
- f. Use of vessel for habitation or residence. \$50
- g. Operation of water skis in a careless, negligent or reckless manner. \$50
- h. Unauthorized mooring of vessel. \$25
- i. Vessel not constructed or maintained in compliance with the standards and requirements established by the Federal Safe Boating Act of 1971 (Pub.L. 92-75, 85 Stat. 213), or promulgated pursuant to such act. \$25
- j. Operation of vessel without proper muffler. \$25

36 C.F.R. 327.4, Aircraft

- b. Operation of aircraft in restricted areas. \$150
- c. Operation of aircraft in careless, negligent or reckless manner. \$200
- f(3) Operation of seaplanes in violation of "Rules of Road." \$50 - \$100
- f(4) Unauthorized mooring of seaplanes. \$25
- f(5) Commercial operation of seaplanes without authorization. \$100
- f(6) Operation of seaplanes between sunset and sunrise without approval. \$100

36 C.F.R. 327.5, Swimming

- a. Swimming, diving, snorkeling or scuba diving in a restricted area. \$20 - \$100

36 C.F.R. 327.5, Swimming, cont...

- b. Diving without diving flag displayed. \$25

36 C.F.R. 327.6, Picnicking

- Picnicking in prohibited areas. \$10- \$50

36 C.F.R. 327.7. Camping

- a. Camping in prohibited area. \$25
- b. Camping in area for a period in excess of 14 days without permission. \$25
- c. Placement of camping equipment for purpose of reserving campsite. \$25
- d. Digging of ground or construction of any structure without permission. \$40 - \$300

36 C.F.R. 327.8. Hunting, Fishing and Trapping

- Hunting, fishing or trapping in prohibited area. \$25 - \$300

35 C.F.R. 327.9, Sanitation

- a. Dumping or disposal of garbage, litter, etc., in non designated area. \$25 - \$100
- b. Bringing garbage onto project. \$50
- c. Spilling, dumping or discharge of pollutants or waste. \$50
- d. Failure to clean camp and/or picnic site. \$25 - \$75
- e. Discharge or placing of pollutants in project waters. \$50 - \$300

36 C.F.R. 327.10, Fires

- a. Storage of fuels without permission. \$25 - \$50
- b. Failure to confine fire. \$25 - \$100
- c. Improper disposal of burning material. \$25 - \$50

36 C.F.R. 327.11. Control of Horses. Dogs. Cats and Pets

- a. Failure to control (i.e., pen, cage, leash) dogs, cats, or other pets. \$25
- a-l. Allowing animals to impede or restrict full and free use of project lands and waters by

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|------|--|-------------------------------|
| | the public. | \$25 - \$50 |
| a-2. | Unauthorized animals or pets on beaches or in sanitary facilities. | \$25 |
| b. | Failing to remove animal waste. | \$25 |
| c. | Horses, cattle, or other livestock in prohibited areas. | \$50 - \$200 |
| d. | Ranging, grazing, watering or allowing livestock on project lands and waters without permission. | \$50 - \$200 |
| f. | Failing to pay impoundment fee. | \$25 plus cost of impoundment |

36 C.F.R. 327.12 Restrictions

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|------|---|--------------|
| a. | Violation of visiting hours, closures, or restrictions. | \$25 - \$100 |
| b. | Violation of quiet hours. | \$25 - \$100 |
| c-1. | Interfering, impeding or disrupting the use of the project. | \$50 - \$200 |
| c-2. | Failing to leave project after a lawful request. | \$50 - \$200 |
| d. | Unreasonable or dangerous operation of audio devices. | \$25 |

36 C.F.R. 327.13. Explosives, Firearms. Other Weapons, and Fireworks

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|--|--|--------------|
| | Unauthorized possession of loaded firearms. | \$50 - \$200 |
| | Unauthorized possession of ammunition. | \$50 - \$100 |
| | Unauthorized discharge or use of fireworks. | \$30 - \$50 |
| | Unauthorized possession or use of explosives or explosive devices. | \$50 - \$200 |

36 C.F.R. 327.14. Public Property

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|----|---------------------------------|--------------|
| a. | Destruction of public property. | \$75 - \$400 |
|----|---------------------------------|--------------|

b. Cutting or removing wood without permission. \$50 - \$300

36 C.F.R. 327.15, Abandonment of Personal Property.

Abandonment of personal property. \$25 - \$50 plus
impoundment
cost

36 C.F.R. 327.17, Advertisement

Unauthorized advertisement. \$25 - \$50

36 C.F.R. 327.18, Commercial Activities

Unauthorized commercial activities. \$25 - \$100

36 C.F.R. 327.19, Permits

a. Failure to comply with terms or pay proper permit fee. \$25 - \$100

b or c. Failure to obtain permit to discharge dredge or fill material. \$50 - \$200

36 C.F.R. 327.20, Unauthorized Structures

Unauthorized construction or placement of structures. \$50 - \$100

36 C.F.R. 327.21, Special Events

a. Unauthorized special events. \$50

b. Unauthorized charging of fees. \$25 - \$50

36 C.F.R. 327.22, Unauthorized Occupation of Lands

a. Unauthorized occupation of lands, buildings, vessels, or other facilities.
\$25 - \$100

b. Unauthorized use of land or waters for agricultural purposes.
\$25 - \$100

36 C.F.R. 327.23, Recreation Use Fees

Fine may not exceed \$100.

- c. Failure to pay recreation use or permit fees. \$25 - \$100
- d. Unauthorized use of Golden Age or Golden Access Passport \$25 - \$100

36 C.F.R. 327.24, Interference with Government Employees

- a. Interference with Government employees. \$100 - \$300
- b. Failure to comply with lawful order. \$50 - \$200

**III. SCHEDULE OF OFFENSES ON PROPERTY UNDER THE CONTROL
OF THE VETERANS ADMINISTRATION**

[** DENOTES MANDATORY APPEARANCE]

COLLATERAL

38 C.F.R. 1.218(b)

- (1) Improper disposal of rubbish on property. \$200
- (3) Throwing of articles from a building or the unauthorized climbing upon any part of a building. \$50
- (4) Willful destruction, damage or removal of government property without authorization. \$500
- (6) Failure to comply with signs of a directive and restrictive nature posted for safety purposes. \$50
- (7) Tampering with, removal, marring, or destruction of posted signs. \$150
- (8) Entry into areas posted as closed to the public or to others (trespass) \$50
- (11) Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility. \$250
- (12) Failure to depart premises by unauthorized persons. \$50

38 C.F.R. 1.218(b) cont...

- | | | |
|------|---|-------|
| (13) | Unauthorized loitering, sleeping or assembly on property. | \$50 |
| (14) | Gambling - participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets. | \$200 |
| (15) | Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines. | \$500 |
| (16) | Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines. | \$200 |
| (17) | Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines. | \$300 |
| (18) | Unauthorized introduction on VA controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates amphetamines or the unauthorized giving of same to a patient or beneficiary. | \$500 |
| (19) | Unauthorized solicitation of alms and contributions on premises. | \$50 |
| (20) | Commercial soliciting or vending, or the collection of private debts on property. | \$50 |
| (21) | Distribution of pamphlets, handbills and flyers. | \$25 |
| (22) | Display of placards or posting of material on property. | \$25 |
| (23) | Unauthorized photography on premises. | \$50 |
| (24) | Failure to comply with traffic directions of VA police. | \$25 |
| (25) | Parking in spaces posted as reserved for physically disabled persons | \$50 |
| (26) | Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow strips. | \$25 |
| (27) | Parking in emergency vehicle spaces, areas and lanes bordered | |

in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant. \$50

38 C.F.R. 1.218(b) cont...

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|------|--|-------|
| (28) | Parking within an intersection or blocking a posted vehicle entrance or posted exit lane. | \$25 |
| (29) | Parking in spaces posted as reserved or in excess of a posted time limit. | \$15 |
| (30) | Failing to come to a complete stop at a STOP sign. | \$25 |
| (31) | Failing to yield to a pedestrian in a marked and posted crosswalk. | \$25 |
| (32) | Driving in the wrong direction on a posted one-way street. | \$25 |
| (33) | Operation of a vehicle in a reckless or unsafe manner too fast for conditions, drag racing, overriding curb, or leaving the roadway. | \$100 |
| (34) | Exceeding posted speed limits. | |
| | (i) By up to 10 mph | \$25 |
| | (ii) By up to 20 mph | \$50 |
| | (iii) By over 20 mph | \$100 |
| (35) | Creating excessive noise in a hospital zone by muffler cut out, excessive use of a horn, or other means. | \$50 |
| (36) | Failure to yield right of way to other vehicles. | \$50 |
| (37) | Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business). | \$500 |
| (38) | Introduction of possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles. | \$500 |
| (39) | Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs and | |

- | | | |
|------|--|-------|
| | hand-held weapons; or brass knuckles. | \$300 |
| (40) | The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons. | \$200 |
| (41) | Unauthorized possession, manufacturer, or use of keys or barrier card-type keys to rooms or areas on the property. | \$200 |

38 C.F.R. 1.218(b) cont...

- | | | |
|------|--|-------|
| (42) | The surreptitious opening, or attempted opening, of locks of card-operated barrier mechanisms on property. | \$500 |
| (43) | Soliciting for, or the act of, prostitution. | \$250 |
| (44) | Any unlawful sexual activity. | \$250 |

IV. SCHEDULE OF OFFENSES ON PROPERTY UNDER THE CONTROL OF THE GENERAL SERVICES ADMINISTRATION

[** DENOTES MANDATORY APPEARANCE]

COLLATERAL

42 C.F.R. Subpart 101 - 20.3, Conduct on Federal Property

§ 101-20.302 Admission to Property.

Entering property during a period when closed to the public without signing register or displaying identification.	\$25
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§ 101-20.303 Preservation of Property.

Improper disposal of rubbish on property.	\$35
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Willful destruction of, or damage to, property.	**
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Theft of property.	**
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Creating a hazard on property to persons or things.	**
Throwing of articles of any kind from or at a building.	\$25
Climbing upon the roof or any party of the building.	\$25
§ 101-20.304 <u>Conformity with signs and directions.</u>	
Failure to comply with the lawful direction of Federal Protective Officers or other authorized individuals.	**
§ 101-20.304 <u>Conformity with signs and directions, cont...</u>	
Failure to comply with signs of a prohibitory, regulatory or directory nature	\$10
§ 101-20.305 <u>Disturbances.</u>	
Loitering.	\$15
Committing an act constituting disorderly conduct.	\$15
Creating a loud or unusual noise or a nuisance.	\$15
Obstructing the usual use of entrances, foyers, lobbies, corridors, officers, elevators, stairways, or parking lots.	\$25
Impeding or disrupting the performance of official duties by Government employees.	**
Preventing the general public from obtaining administrative services.	\$25
§ 101-20.306 <u>Gambling.</u>	
Participating in games for money or other personal property.	**
Operating a gambling device.	**
Conducting a lottery or pool.	**

Selling or purchasing a numbers ticket. **

§ 101-20.307 Alcoholic Beverages and Narcotics.

Operating a vehicle while on the property by a person under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines. **

Entering upon the property, or while on the property, under the influence of or using or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines (except as prescribed by a licensed physician). **

Entering upon the property, or being on the property, under the influence of alcoholic beverages, or the possession or the use of alcohol on the property (except as authorized by the Administrator of General Services Administration). **

§ 101-20.308 Soliciting, Vending, and Debt Collection.

Unauthorized soliciting of alms. \$15

Unauthorized soliciting for commercial or political purposes. \$20

Unauthorized vending. \$20

Displaying or distributing commercial advertising, except as authorized. \$20

Unauthorized collection of a private debt. \$25

§ 101-20.309 Posting and Distributing Materials.

Unauthorized distribution of materials such as pamphlets, handbills, or flyers. \$20

Unauthorized posting of material on a bulletin board or elsewhere on the property. \$20

§ 101-20.310 Photographs for news, advertising, or commercial purposes.

Taking photographs for news media in occupied space without the consent of the occupying agency. \$25

Taking photographs in occupied space for advertising or commercial purposes without the consent of the occupying agency. \$50

Taking photographs where prohibited by court order or rule. **

§ 101-20.311 Dogs and other animals.

Bringing a dog or other animal in or upon property, except seeing eye dogs, other guide dogs, and animals used to guide or assist handicapped persons. \$20

§ 101-20.312 Vehicular and Pedestrian Traffic.

Failure to comply with posted traffic signs. \$40

Failure to obey the lawful order, signal or direction of a Federal Protective Officer, or other authorized individual, directing traffic. \$40

§ 101-20.312 Vehicular and Pedestrian Traffic, cont...

Blocking of entrances, driveways, walks, loading platforms, or fire hydrants on property. \$25

Parking a vehicle in a restricted area or without permit. \$10

§ 101-20.313 Explosives.

Carrying or possessing explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes. **

§ 101-20.314 Nondiscrimination.

Discrimination by segregation or otherwise against any person or persons because of race, creed, sex or color, or national origin. **

V. SCHEDULE A OF OFFENSES IN VIOLATION OF FEDERAL WILDLIFE

[** DENOTES MANDATORY APPEARANCE]

COLLATERAL

16 U.S.C. § 703 Taking, killing or possessing migratory birds unlawful.

Sale/Purchase Bird	\$100 - \$500
Take non-game migratory birds	\$200 and \$25 each bird

50 C.F.R. Part 20 - Migratory Bird Hunting

Subpart C - Taking

§ 20.21 Hunting Methods

Migratory birds on which open seasons are prescribed in this part may be taken by any method except those prohibited in this section. No persons shall take migratory game birds:

With a trap	\$200 - \$500
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With a snare, net, rifle, pistol, swivel gun, shotgun larger than 10 gauge, punt gun, battery gun, machine gun, fish hook, poison, drug, explosive, or stupefying substance	\$100 - \$250
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§ 20.21 Hunting Methods, cont...

With an improperly plugged shotgun	\$50
By use of a sink box	\$200
By use of live birds as decoys	\$200 - \$500
By use of electronically amplified bird calls	\$500
By means of any motor driven land, water, or air conveyance	\$100 - \$250
By aid of baiting	**
By possessing shot other than steel shot	\$50 - \$250

§ 20.22 Closed Seasons

No person shall take migratory game birds during the closed season \$200 & \$25 each bird

§ 20.23 Shooting hours

No person shall take migratory game birds except during the hours open to shooting as prescribed in Subpart K of this part.

\$100 - \$200

§ 20.24 Daily limit

No person shall take in any 1 calendar day, more than the daily bag limit or aggregate daily bag limit, whichever applies.

\$200 & \$25
each bird over

§ 20.25 Wanton waste of migratory game birds

No person shall kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird, and retain it in his custody.

\$200 - \$500

Subpart D - Possession

§ 20.33 Possession limit

No person shall possess more migratory game birds taken in the United States than the possession limit or the aggregate possession limit, whichever applies.

\$200 & \$25
each bird over

§ 20.35 Field possession limit

No person shall possess or transport more than the daily bag limit or aggregate daily bag limit, whichever applies.

\$200 & \$25
each bird over

§ 20.36 Tagging requirement

No person shall put or leave any migratory game birds at any place (other than personal abode), or in custody of another for picking, cleaning, etc., unless the birds are properly tagged.

\$50 - \$250

§ 20.38 Possession of live birds

No person shall at any time possess or transport live migratory game birds. \$50

Subpart E - Transportation Within the United States

§ 20.43 Species identification requirement

No person shall transport within the United States any migratory game birds unless the head or one full feathered wing remains attached to each bird at all times while being transported.

\$100 - \$250

Subpart G - Importations

§§ 20.61 through 20.64 Improper Importation & Exportation

\$100 - \$250

Subpart H - Federal, State and Foreign Law

§ 20.71 Violation of Federal Law

No person shall take, possess, transport, or export any migratory bird, or any part, nest, or egg of any such bird, in violation of any act of Congress or any regulation issued pursuant thereto.
\$50 - \$250

§ 20.72 Violation of State Law

No person shall take, possess, transport, or export any migratory bird, or any part, nest, or egg of such bird in violation of any State law or regulation.
\$50 - \$250

Subpart I - Migratory Bird Preservation Facilities

§ 20.81 Tagging requirement

No migratory bird preservation facility shall receive or have in custody any migratory game birds unless such birds are tagged as required by § 20.36.
\$100 - \$500

50 C.F.R. Part 21 - MIGRATORY BIRD PERMITS

Subpart B - General Requirements and Exceptions

§ 21.11 General permit requirements

No person shall take, possess, import, export, or transport any migratory bird, or the parts, nests, or eggs of such bird without a valid permit.
\$200 & \$25
each bird

No person shall sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, or the parts, nests, or eggs of such bird without a valid permit.
\$100 - \$500

§ 21.13(b) Unlawful Marking of Captive-Reared Birds \$100 & \$10 each bird

Subpart C - Specific Permit Provisions

§§ 21.24 through 21.28 - Practice of Taxidermy, Falconry, Sale and Disposal of Waterfowl, etc., Without a Permit.

\$100 ù \$500

16 U.S.C. § 718 - Duck Stamp Act

§ 718a. Hunting and conservation stamp for taking migratory waterfowl

Hunt waterfowl without stamp \$100

Hunt waterfowl with unsigned/unattached stamp. \$25

§ 718e. Offenses

Loan, transfer or borrowing of stamp \$100

18 U.S.C. § 2 - Principals

Aiding, abetting, or causing violation of regulations printed herein. \$100 - \$500

18 U.S.C. § 42(c)

Transportation of wildlife under inhumane or unhealthy conditions. \$250 - \$500 & \$25
ea. animal

BY PAYMENT OF DESIGNATED COLLATERAL AMOUNT, DEFENDANT
ALSO FORFEITS TO THE UNITED STATES GOVERNMENT ANY SEIZED
WILDLIFE OR WILDLIFE PARTS.

VI. ~~SCHEDULE OF CIVIL AND CRIMINAL OFFENSES OVERLAPPING~~ SCHEDULE OF CIVIL AND CRIMINAL OFFENSES UNDER

[** DENOTES MANDATORY APPEARANCE]

COLLATERAL

TRAFFIC OFFENSES

Improper parking \$10

Parking within 100 feet of a fire apparatus or 15 feet of a fire hydrant \$20

TRAFFIC OFFENSES, cont...

Parking in a restricted area \$40

Parking overtime -

- | | | | |
|-------|--|------|------|
| (i) | First violation in 45 day period | \$15 | |
| (ii) | Second violation in 45 day period | | \$30 |
| (iii) | For the third violation in a 45 day period,
or any subsequent violation | | ** |

Reckless driving **

Driving wrong way on one way street or parking lot
or on wrong side of street \$60

Driving under influence of alcohol or drugs **

Driving with suspended driver's license **

Driving with expired driver's license \$40

Driving with no driver's license **

Driving with revoked driver's license **

Driving with expired license plates \$60

Improper display of license plates \$30

Using license plate of improper classification \$30

Driving with no license plates \$30

Failure to obey officer directing traffic \$40

Failure to obey traffic control device, signal or sign \$40

Failure to yield to an emergency vehicle \$30

Failure to yield right-of-way \$40

Improper passing	\$40
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Improper signal	\$30
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TRAFFIC OFFENSES, cont...

Improper turn	\$40
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Failure to maintain vehicle on roadway lined for traffic	\$30
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Obstructing Traffic	\$30
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Passing stopped school bus	**
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Speeding	
(1-20 mph over posted speed limit)	\$40
(21-60 mph over posted speed limit)	\$1 per mile over posted speed
(61 mph or more over posted speed limit)	**

Operating or riding a motorcycle without a helmet	\$30
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Littering	\$70
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Following too close	\$40
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Blocking the highway	\$40
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Defective Equipment	\$20
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Failure to Dim Lights	\$10
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Running Red Light	\$60
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Running stop sign	\$60
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Careless backing	\$40
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Failure to report accident or leaving scene of an accident	**
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VII. OFFENSES FOR WHICH BOND MAY NOT BE FORFEITED, AND

FOR WHICH APPEARANCE IS MANDATORY

A person who is charged or ticketed with a petty offense listed below must appear before a United States Magistrate:

Driving while under suspension or revocation of driver's license.

Driving without being licensed to drive.

Exceeding the speed limit by more than 60 miles per hour.

A person who is charged or ticketed with a petty offense, cont...

Leaving the scene of an accident.

Operation of a motor vehicle or vessel while under the influence of intoxicating liquor or a narcotic or habit-producing drug, or permitting another person, who is under the influence of intoxicating liquor or a narcotic or habit-producing drug, to operate a motor vehicle or vessel owned by the person charged or in his control or custody.

Prohibited possession of alcohol by a minor.

Offenses resulting in an accident.

Reckless driving or reckless operation of a motor vehicle or vessel.

Second moving traffic offense within a 12-month period, as evidenced by information recorded on operator's license, or by other evidence.

Injury, damage, or removal of any Federal property except under authority of law (unless said injury, damage or removal is within the posted amounts listed here in above).

Gambling.

Unauthorized possession of firearms.

Unauthorized discharging of firearms.

Operation of aircraft in a prohibited area.

Air delivery on a prohibited area.

Interference with a government employee in the performance of official duties.

A third overtime parking violation in a 45 day period, or any subsequent violation.

Any other offense included in the foregoing schedules of offenses requiring appearance but not listed here.

Any other offense not included in the foregoing schedules of offenses.

Nothing in the above schedules of violations is meant to preclude a Federal officer or official within his authority from filing a complaint against a violator and having him appear before an appropriate Magistrate Judge. If a person charged with an offense in the attached sections of the Schedules of this Rule fails to post and forfeit collateral, any punishment, including fine, imprisonment, or probation, may be imposed within the limits established by law upon conviction by plea or after trial.

This order shall constitute the Court's policies with regard to collateral forfeiture in petty offense matters.

DONE this 17th day of December 19 90.

<S>

ALEX T. HOWARD, JR.
CHIEF UNITED STATES DISTRICT JUDGE

<S>

CHARLES R BUTLER, JR.
UNITED STATES DISTRICT JUDGE

<S>

RICHARD W. VOLLMER, JR.
UNITED STATES DISTRICT JUDGE

<S>

DANIEL H. THOMAS

SENIOR UNITED STATES DISTRICT JUDGE

<S>

VIRGIL PITTMAN

SENIOR UNITED STATES DISTRICT JUDGE

<S>

W.B. HAND

SENIOR UNITED STATES DISTRICT JUDGE